REMARKS

This is a full and timely response to the outstanding final Office action electronically delivered on March 28, 2008. Since Applicants' previously submitted amendments necessitated the new grounds of rejection, this action is made final.

Present Status of the Application

All of the pending claims 1-3, 5-7, and 17 have been rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. Same claims have also been rejected under 35 U.S.C. 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

As for the prior art rejections, claims 1 and 5-7 have been rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Kroliczek et al. (USPN 6,382,309; "Kroliczek" hereinafter) and by Van Oost (USPN 5,944,092; "Van Oost" hereinafter), respectively. Claims 2-3 and 17 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kroliczek in view of T.D. Coe (USPN 3,387,653; "T.D. Coe" hereinafter). Claims 2-3 and 17 have also been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Van Oost in view of T.D. Coe.

By this paper, claim 1 has been amended, claim 18 has been newly added, and claims 1-3, 5-7, and 17-18 remain pending. Written support for the changes made to claim 1 is able to be found from the drawings and the specification of the instant application and, therefore, no new matter is introduced by way of the proposed amendment.

Reconsideration and allowance of the application are respectfully requested.

Claim Rejections under 35 U.S.C. 112

Claims 1-3, 5-7, and 17 have been rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Office has alleged that there is no space between or interval between the hollow tube and the porous core. Hence, the claimed subject matter of "said fluid reservoir is located between said second hollow tube and said first end of said porous core" is deemed not supported by the original disclosure. Likewise, same claims have also been rejected under 35 U.S.C. 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter of "said fluid reservoir is located between said second hollow tube and said first end of said porous core."

As narrated in paragraph [0044] of Applicants' specification, the fluid reservoir 217 is a space inside the second hollow tube 216. With reference to FIG. 4C, the fluid reservoir 217 is located between the second hollow tube 216 and the right side (i.e. the first end set forth in the amended claim 1) of the porous core 214. Since the limitation about the fluid reservoir 217 has been taken out from claim 1 to claim 18, and since the newly added claim 18 recites the above features in other words, *i.e. "said fluid reservoir is located* **within** *said second hollow tube and* **beside** *said first end of said porous core,"* and distinctly reflects the above features, and corresponding written support is evidently provided in paragraph [0044] of the instant application and Applicants' FIG. 4C, the rejections under 35 U.S.C. 112, first and second paragraphs, should be withdrawn.

Claim Rejections under 35 U.S.C. 102

Claims 1 and 5-7 have been rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Kroliczek and by Van Oost, respectively.

With respect to claim 1 at issue, as currently amended, it states,

"A heat transfer device for transferring a heating source from a heating device, said heat transfer device comprising:

an evaporator, said evaporator comprising:

a first hollow tube having a first open end and a first closed end opposite to said first open end;

a porous core mortised inside said first hollow tube and having a first end and a second end opposite to said first end, wherein the porous core has a fluid channel ***surrounded by and located inside the porous core*** and extending along a direction from said first end to said second end, and said fluid channel is open at said first end and is close at said second end;

a second hollow tube having a second open end and a second closed end opposite to said second open end, wherein a part of said first hollow tube is mortised and secured inside said second hollow tube, the other part of said first hollow tube is exposed outside said second hollow tube, ***said first open end is mortised and secured inside said second open end, a direction from said first closed end to said first open end is opposite to another direction from said second closed end to said second open end, and said porous core is located between said first closed end and said second closed end***;

a connecting pipe connected to said evaporator, said connecting pipe being used for containing a working fluid; and

a condenser on said connecting pipe." (**Emphasis added**)

In rejecting claim 1 for want of novelty based on the Kroliczek reference, the Office has asserted Kroliczek teaches in FIG. 11 that the porous core 312 has a fluid channel 316 therein and extending along a direction from the first end to the second end of the porous core 312, and the fluid channel is open at the first end (i.e. the right side as shown in the drawings) and is closed at the second end (the left side as shown in the drawings). However, with reference to FIGs. 11 and 12 of Kroliczek, the so-called fluid channel 316 is actually referred to the grooves surrounding the porous core 312, while the fluid channel of the present invention is located within the porous core 312, which is apparently disclosed in claim 1 as "the porous core has a fluid channel **surrounded by and located inside the porous core**." Therefore, Kroliczek on which the Office has relied to make the rejection of claim 1 fails to explicitly teach or implicitly suggest at least the feature "a porous core mortised inside said first hollow tube and having a first end and a second end opposite to said first end, wherein the porous core has a fluid channel **surrounded by and located inside the porous core** and extending along a direction from said first end to said second end, and said fluid channel is open at said first end and is close at said second end." Claim 1 is thus novel and patentable over the Kroliczek reference.

On the other hand, in rejecting claim 1 for want of novelty based on the Van Oost reference, the Office has construed both the reservoir via channel 4 shown in FIG. 1 of

Van Oost and the vapor collecting grooves 12 shown in FIG. 3B of Van Oost as the fluid reservoir of the present invention. The Office has also interpreted that the reservoir via channel 4 of Van Oost is equivalent to both the fluid reservoir and the fluid channel of the present invention. In response thereto, after entry of the proposed amendment, claim 1 more clearly defines the present invention over the Van Oost reference by incorporating the description of "**said first hollow tube has a first open end and a first closed end opposite to said open end, said second hollow tube has a second open end and a second closed end opposite to said second open end, said first open end is mortised and secured inside said second open end, a direction from said first closed end to said first open end is opposite to another direction from said second closed end to said second open end, and said porous core is located between said first closed end and said second closed end.**" In detail, with reference to FIG. 1 of Van Oost, the direction of the evaporator 2 from the closed end to the open end is toward the right, and so is the direction of the evaporator body 13 from the closed end to the open end. Namely, the claimed feature "**a direction from said first closed end to said first open end is opposite to another direction from said second closed end to said second open end**" recited in claim 1 of the instant application is not disclosed by the Van Oost reference. Besides, as shown in FIG. 1 of Van Oost, the reservoir via channel 4 is located at the right side of the closed end of the evaporator 2 and at the right side of the closed end of the evaporator body 13. In other words, the claimed feature "**said porous core is located between said first closed end and said second closed end**" is not disclosed by the Van Oost reference.

As such, Kroliczek fails to teach each and every element of the claimed invention set forth in claim 1, as currently amended, and so does Van Oost. Since neither Kroliczek nor Van Oost teaches, discloses, or suggests each and every element set forth in claim 1, claim 1 and its dependent claims 5-7 and 18 are submitted to be novel and allowable over Kroliczek and Van Oost.

Claim Rejections under 35 U.S.C. 103

Claims 2-3 and 17 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kroliczek in view of T.D. Coe. Claims 2-3 and 17 have also been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Van Oost in view of T.D. Coe.

For at least the reasons advanced hereinbefore, neither Kroliczek nor Van Oost teaches, discloses, or suggests each and every element set forth in claim 1 of the present invention. Since the T.D. Coe reference also fails to cure the deficiencies of Kroliczek and Van Oost, claim 1 should be non-obvious and patentable over the combination of Kroliczek, Van Oost, and T.D. Coe.

As a matter of law, claims 2-3 and 17-18 depending on the allowable independent claim 1 should also be allowed.

CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-3, 5-7, and 17-18 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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June 18, 2008

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